

DT07 Rec'd PCT/PTO 29 DEC 2004

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q83979

Ichiro KANEKO

Appln. No.: 10/509,966

Group Art Unit: Not yet assigned

Confirmation No.: Not yet assigned

Examiner: Not yet assigned

Filed: October 04, 2004

For: CROSS POLARIZED WAVE INTERFERENCE ELIMINATING SYSTEM AND METHOD

SUBMISSION OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT (IPER)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

For the Examiner's convenience, enclosed herewith is a copy of the English translation of the International Preliminary Examination Report (IPER). It is assumed that copies of the cited references as required by §371(c) will be supplied directly by the International Bureau, but if further copies are needed, the undersigned will undertake to provide them upon request.

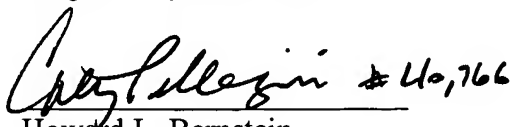
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

for

Howard L. Bernstein
Registration No. 25,665

Date: December 29, 2004

BEST AVAILABLE COPY

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 72.2)

From the INTERNATIONAL BUREAU

To:

YAMAKAWA, Masaki
c/o Yamakawa International Patent Office
8th Floor, Shuwa-Tameike Building
4-2, Nagatacho 2-chome
Chiyoda-ku, Tokyo 100-0014
JAPON

NOV - 8, 2004
Yamakawa International
Patent Office

| | |
|---|--|
| Date of mailing (day/month/year) 04 November 2004 (04.11.2004) | |
| Applicant's or agent's file reference NEC-1502PCT | IMPORTANT NOTIFICATION |
| International application No. PCT/JP2003/002924 | International filing date (day/month/year) 12 March 2003 (12.03.2003) |
| Applicant NEC CORPORATION et al | |

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

EP

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

NO, US

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

BEST AVAILABLE COPY

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Yoshiko Kuwahara

Facsimile No. +41 22 740 14 35

Facsimile No. +41 22 338 90 90

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

PCT Application
PCT/JP2003/002924



| | |
|--|---|
| Applicant's or agent's file reference NEC-1502PCT | FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) |
| International application No. PCT/JP03/02924 | International filing date (day/month/year) 12 March 2003 (12.03.03) |
| Priority date (day/month/year) 05 April 2002 (05.04.02) | |
| International Patent Classification (IPC) or national classification and IPC H04J 11/00 | |
| Applicant NEC CORPORATION | |

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

BEST AVAILABLE COPY

| | |
|--|--|
| Date of submission of the demand 12 March 2003 (12.03.03) | Date of completion of this report 25 August 2003 (25.08.2003) |
| Name and mailing address of the IPEA/IP | Authorized officer |
| | Telephone No. |

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP03/02924

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the claims:
pages _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the drawings:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

BEST AVAILABLE COPY5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP03/02924

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | | |
|-------------------------------|--------|-----|-----|
| Novelty (N) | Claims | 1-5 | YES |
| | Claims | | NO |
| Inventive step (IS) | Claims | 1-5 | YES |
| | Claims | | NO |
| Industrial applicability (IA) | Claims | 1-5 | YES |
| | Claims | | NO |

2. Citations and explanations

Document 1: JP 2002-77094 A (NEC Corp.), March 15, 2002

Document 2: JP 2-81528 A (NEC Corp.), March 22, 1990

Document 3: JP 2-164149 A (Fujitsu Ltd.), June 25, 1990

Document 4: JP 4-25223 A (NEC Corp.), January 29, 1992

Document 5: JP 4-137934 A (NEC Fukushima Ltd.), May 12, 1992

Document 6: JP 63-272238 A (NEC Corp.), November 9, 1988

Document 7: JP 3-218137 A (NEC Corp.), September 25, 1991

Claims 1-5

Documents 1-5 describe decreasing cross polarized wave interference by controlling transmission power.

Documents 1, 6 and 7 describe decreasing cross polarized wave interference by changing weighting for transversal filters.

However, none of documents 1-7 cited in the ISR describes adjusting interference compensation quantities based on transmission power control information, nor is this obvious to a person skilled in the art.

BEST AVAILABLE COPY